

12.9  
6/27/96

DEPARTMENT OF ECOLOGY

IN THE MATTER OF PENALTY )  
ASSESSMENT AGAINST )  
Rayonier, Inc. )

NOTICE OF PENALTY )  
INCURRED AND DUE )  
No. DE 96WQI041 )

To: *Jack Tatom, Mill Manager*  
*Rayonier, Inc.*  
*P.O. Box 191*  
*Port Angeles, WA 98362*

Notice is given that the Department has assessed a penalty against you in the amount of \$5,000 under the provisions of RCW 90.48.144.

The penalty is based on the following Department findings:

On March 9, 1994, January 22, 1995, April 25, 1995, May 22, 1995, August 29, 1995, September 25, 1995, December 18, 1995, and February 27, 1996 the bioassay test performed on the treated effluent from outfall 001 of Rayonier Pulp Mill, failed to have 80 percent survival of the fishes in the 96 hour test, a violation their NPDES permit.

The penalty is due and payable by you within thirty (30) days of your receipt of this Notice. Please send your penalty payment to: Department of Ecology c/o Fiscal Cashier, P.O. Box 5128, Lacey Washington 98503-0210.

If you wish to contest this penalty, you have two options. You may file an Application for Relief from Penalty with the Department explaining why the Department should reduce or cancel the penalty. A form is enclosed for your convenience. It must be signed under oath before a notary public or other person authorized to take oaths.

If you choose to submit an Application for Relief from Penalty, you must do so within fifteen (15) days of your receipt of the Notice. Send your Application for Relief to: **Don Nelson, Department of Ecology P.O. Box 47600, Olympia Washington 98504-7600.** At the same time send a copy to: Department of Ecology c/o Enforcement Officer, P.O. Box 47600, Olympia Washington 98504-7600. After reviewing you Application for Relief, the Department will notify you of its decision.

If you choose not to submit an Application for Relief but still wish to contest the penalty, you may file an appeal with the Pollution Control Hearings Board. Your appeal must be filed within thirty (30) days of your receipt of this Notice. Send your appeal to: The Pollution Control Hearings Board, P.O. Box 40903, Olympia Washington 98504-0903. At the same time, copies of your appeal must be sent to: Department of Ecology c/o Enforcement Officer, P.O. Box 47600, Olympia Washington 98504-7600; and **Don Nelson, P.O. Box 47600, Olympia Washington 98504-7600.** These procedures are consistent with Chapter 43.21B RCW and its implementing regulations.

DATED this 27th day of June, 1996 at Olympia, Washington.

  
\_\_\_\_\_  
M. F. Palko  
*Supervisor, Industrial Section*  
*Central Programs*

111367  
USEPA SF  
  
1068114

STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

IN THE MATTER OF THE ASSESSMENT  
OF PENALTY AGAINST  
Rayonier, Inc.

)APPLICATION FOR RELIEF  
)FROM PENALTY  
)No. DE 96WQI041

To: Enforcement Officer  
State of Washington  
Department of Ecology  
Post Office Box 47600  
Olympia, WA 98504-7600

Rayonier, Inc. has received your "NOTICE OF PENALTY INCURRED AND DUE" dated June 27, 1996 and number DE 96WQI041 which states that Rayonier, Inc. has been penalized \$5,000.

I have read and understand RCW 9A.72.030 which prescribes penalties for making false statements. Included below are my reasons, made under oath and on behalf of Rayonier, Inc. for reduction or cancellation of Penalty No. DE 96WQI041:

(NOTE: If you need more space, please attach extra pages as necessary)

I swear that these statements are true, accurate and a complete description of the facts of this case.

By: \_\_\_\_\_

SUBSCRIBED AND SWORN to before this \_\_\_\_ day  
of \_\_\_\_\_, 199 \_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC in and for the State  
of Washington.  
My commission expires: \_\_\_\_\_

RCW 9A.72.030 Perjury in the second degree.

(1) A person is guilty of perjury in the second degree if, with intent to mislead a public servant in the performance of his duty, he makes a materially false statement, which he knows to be false under an oath required or authorized by law.

(2) Perjury in the second degree is a class C felony.  
[1975 1st ex.s. c 260 sec. 9A.72.030]